



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants : Kenten et al.
Serial No. : 09/480,544
Filed : January 10, 2000
For : Cycling DNA/RNA Amplification Electrochemiluminescent Probe Assay
Group Art Unit : 1643
Examiner : Chakrabartu, Arun K
Confirmation No. : 4434

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 23, 2004.

Date: January 23, 2004

Signature: 

Eleanor N. Johnson (Reg. No. 53,076)
Kramer Levin Naftalis & Frankel LLP

Mail Stop Appeal Brief - Patents
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 23, 2004

PETITION FOR FIVE MONTH EXTENSION OF TIME

Sir:

Applicants hereby petition the Commissioner for Patents under the provisions of 37 C.F.R. § 1.136(a) to extend the time for filing a Brief on Appeal in response to the Final Official Action mailed December 27, 2002. A Notice of Appeal was filed on June 23, 2003 and

was received by United States Patent and Trademark Office on June 25, 2003. Therefore, the five (5) months extension of time is from August 25, 2003 to January 25, 2004. Under provision 37 C.F.R. § 1.17(a)(5), the required fee is \$1,005.00. A duplicate copy of this Petition is enclosed.

If there are any additional fees, please charge them to our firm Deposit Account No. 50-0540.

Dated: January 23, 2004

Respectfully submitted,

KRAMER LEVIN NAFTALIS & FRANKEL LLP
Attorneys for Applicants

By: 

Barry Evans, Reg. No. 22,802
Eleanor N. Johnson, Reg. No. 53,076
Kramer Levin Naftalis & Frankel LLP
919 Third Avenue
New York, NY 10022
(212) 715-9100